

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Sebastian Saavedra	Team: Squad #1	CCRB Case #: 202001772	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 03/03/2020 8:10 AM	Location of Incident: 283 East Houston Street	Precinct: 07	18 Mo. SOL 9/3/2021	EO SOL 4/20/2022	
Date/Time CV Reported Tue, 03/03/2020 8:47 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 03/03/2020 8:47 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Gaileen Stapletongilgeours	13887	945375	009 PCT
2. POM Kevin Mckeon	13969	956910	009 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Gaileen Stapletongilgeours	Abuse: Police Officer Gaileen Stapleton-Gilgeours failed to provide § 87(2)(b) with a business card.	
B.POM Kevin Mckeon	Abuse: Police Officer Kevin McKeon failed to provide § 87(2)(b) with a business card.	

Case Summary

On March 3, 2020 § 87(2)(b) filed this complaint with the CCRB via its online website.

On March 3, 2020, § 87(2)(b) approached Police Officer Kevin McKeon, and Police Officer Gaileen Stapleton-Gilgeours, both assigned to the 9th Precinct, who were sitting in a vehicle outside 283 East Houston Street in Manhattan, to ask why they were parked in a bicycle lane. § 87(2)(b) asked both officers for their business cards. PO Stapleton-Gilgeours and PO McKeon did not provide § 87(2)(b) with business cards and drove away (**Allegations A and B: Abuse of Authority**, § 87(2)(g)).

No BWC video was available for this incident. § 87(2)(g)

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Gaileen Stapleton-Gilgeours failed to provide § 87(2)(b) with a business card.

Allegation (B) Abuse of Authority: Police Officer Kevin McKeon failed to provide § 87(2)(b) with a business card.

§ 87(2)(b) testified that he was walking in front of “Heaven’s Hot Bagels,” near the intersection of Houston Street and Clinton Street in Manhattan, when he observed PO Stapleton-Gilgeours and PO McKeon sitting in a marked SUV parked in the bicycle lane on the south side of Houston Street, blocking the lane. § 87(2)(b) approached the driver’s side window. PO McKeon rolled down the window, and § 87(2)(b) told him that he was parked illegally, and that he should move his car, and asked PO McKeon and PO Stapleton-Gilgeours for their business cards. § 87(2)(b) stated that both officers acknowledged his request verbally, though he did not recall what they said. PO Stapleton-Gilgeours asked § 87(2)(b) why he wanted their business cards, and § 87(2)(b) told her that he was not going to answer any of their questions, and just wanted their business cards. The officers briefly spoke to each other, and PO McKeon told § 87(2)(b) to wait where he was. PO McKeon then rolled up his window, and the officers drove off. § 87(2)(b) stated that he did not see the officers again, nor did they verbally offer any of their identifying information. § 87(2)(b) stated in a follow up call that he did not stay at the location for more than one or two minutes, as he understood from the officers’ lack of specificity in asking him to wait (without saying they would return or where they were going) that they were concluding the interaction (Board Reviews 02 and 12).

§ 87(2)(b) provided three videos that he recorded on his cell phone. The footage in the first clip (Board Review 03) shows him approach PO McKeon, sitting in the driver’s seat and PO Stapleton-Gilgeours, sitting in the front passenger’s seat. § 87(2)(b) walks up to the driver’s seat door of the car, whose window is partially rolled down. § 87(2)(b) asks, “can I have your business card please?” to which PO Stapleton-Gilgeours replies by pointing at herself and asking whether § 87(2)(b) is speaking to her. § 87(2)(b) repeats the same question, and PO Stapleton Gilgeours again asks whether he is speaking to her, to which § 87(2)(b) replies, “both of you.” PO McKeon and PO Stapleton Gilgeours then look at each other for a few seconds. PO Stapleton Gilgeours then asks § 87(2)(b) why he needs her business card, to which § 87(2)(b) replies that she is breaking the law and he would like to report her for it. PO Stapleton Gilgeours then says something unintelligible, and § 87(2)(b) asks, “are you refusing to give me your business card?” to which she replies, “I’m asking you a question.” § 87(2)(b) again asks for PO Stapleton Gilgeours’ business card, and then asks both of the officers for business cards. PO Stapleton Gilgeours again says to § 87(2)(b) “I’m asking you a question,” to which § 87(2)(b) replies that he is not answering any questions from either of the officers, and that he has them on camera refusing to give him business cards. The footage then concludes. The second clip (Board Review 11) captures PO McKeon twice ask PO Stapleton-Gilgeours whether she has a business card. It is not clear whether she answers him, but PO McKeon is heard telling her that his business cards are

§ 87(2)(b)

- in two prior CCRB complaints and three allegations. § 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of April 29, 2020, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 09).
- § 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 1

Investigator: Inv. Saavedra _____ 1/14/2021
Signature Print Title & Name Date

Squad Leader: Mgr. Joy Almeyda _____ 1.15.21
Signature Print Title & Name Date

Reviewer: _____

Signature _____ Print Title & Name _____ Date _____